

MDL 1570 PLAINTIFFS' EXECUTIVE COMMITTEES

In re: Terrorist Attacks on September 11, 2001 (S.D.N.Y.)

Plaintiffs' Executive Committee for Personal Injury and Death Claims	Plaintiffs' Executive Committee for Commercial Claims
Ronald L. Motley (1944-2013) Jodi Westbrook Flowers, <i>Co-Chair</i> Donald A. Migliori, <i>Co-Chair</i> Robert T. Haeefe, <i>Liaison Counsel</i> MOTLEY RICE LLC	Stephen A. Cozen, <i>Co-Chair</i> Sean Carter, <i>Co-Chair</i> J. Scott Tarbutton, <i>Liaison Counsel</i> COZEN O'CONNOR

VIA ECF

August 15, 2024

The Hon. George B. Daniels, U.S. District Judge
United States District Court for the S.D.N.Y.
Daniel P. Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007

Re: *In Re: Terrorist Attacks on September 11, 2001*, 03 MDL 1570 (GBD) (SN)

Dear Judge Daniels:

The Plaintiffs' Executive Committees and *Ashton* Plaintiffs (collectively "Plaintiffs") write concerning Dallah Avco's letter (ECF No. 10239), filed jointly with the DOJ/FBI ("FBI"), requesting "that the Court so-order their proposed approaches" to redactions. The letter purports to refer to a single judicial document—a deposition cited by both Dallah Avco and Plaintiffs in their respective motion papers. However, Dallah Avco's proposed approach also raises broader, substantive questions about the operation of this Court's July 29, 2024 Order (ECF No. 10173) as it applies to hundreds of additional judicial documents filed on the pending motions to dismiss of Saudi Arabia and Dallah Avco.

Plaintiffs have already signaled their intention to meet and confer with the FBI and other relevant parties in an effort to address *all* outstanding proposed redactions in those judicial documents. Accordingly, Plaintiffs respectfully request that the Court defer any action on Dallah Avco's letter until Plaintiffs have an opportunity to complete those discussions, resolve potential disagreements, and report back to the Court. Plaintiffs' goal is a comprehensive solution and approach to applying the Court's unsealing Order to the remaining redaction issues that avoids piecemeal applications.

Dallah Avco's proposal raises novel redactions that are not based on the Privacy Act issues previously raised by the FBI and addressed by the Court. Rather, they involve information about two non-U.S. persons that is already freely available in FBI documents released *publicly* under Executive Order No. 14040. In the circumstances, additional time is appropriate while all the relevant parties, including Plaintiffs, complete their meet-and-confer.

Respectfully submitted,

MOTLEY RICE LLC

COZEN O'CONNOR

By: /s/ Robert T. HaeefeBy: /s/ Sean P. Carter

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cc: The Honorable Sarah Netburn, via ECF
All Counsel of Record via ECF